6098901/2022/OP-HMF01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Health, Medical & Family Welfare Department – The Surrogacy (Regulation) Act, 2021(Act No.47 of 2021) - Constitution of State Assisted Reproductive Technology and Surrogacy Board; State Appropriate Authority for the purposes of the said Act; and District Appropriate Authority for Surrogacy for implementation of the Act in the State – Notification - Orders -Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (E2) DEPARTMENT

G.O.Ms.No.181 **Dated:08.07.2022**

Read the following:-

1. The Surrogacy (Regulation) Act, 2021.
2. From the Joint Secretary, GOI, MoH&FW, Department of Health and Research, New Delhi, DO No.U.11019/07/2022-HR, dt.03.02.2022.
3. From the Joint Secretary, GOI, MoH&FW, Department of Health and Research, New Delhi, DO No.U.11019/08/2022-HR, dt.04.02.2022.
4. From the Commissioner of Health & Family Welfare/ Chairperson, Multi Member State Appropriate Authority (PC & PNDT),A.P., Mangalagiri, Lr.Rc.No.HMF04/3/2022-PC & PNDT SEC-CHFW, dt.07.03.2022 & dt.20.04.2022.

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O R D E R:

In the reference second read above, the Joint Secretary, Government of India, Ministry of Health & Family Welfare, Department of Health Research, New Delhi while furnishing the copies of the Surrogacy (Regulation) Act, 2021 (Act No.47 of 2021) and the Assisted Reproductive Technology (Regulation) Act 2021 (Act No.42 of 2021) along with Gazette Notifications has informed that, these Acts which have come into force w.e.f. 25.01.2022. The State ART and Surrogacy Board is required to be constituted as per Section 26 of the Surrogacy (Regulation) Act and the same shall also be Board for the purposed of ART Act as per Section 6 of the ART (Regulation) Act, 2021. The composition of aforesaid Board is prescribed under Section 27 of the Surrogacy (Regulation) Act, 2021 and requested to constitute the State Board on Priority basis.

2. In the reference third read above, the Joint Secretary, GOI, Ministry of Health & Family Welfare, Department of Health Research, New Delhi has informed that, as per Section 35(2) of the Surrogacy (Regulation) Act and as per Section 12(2) of the ART (Regulation) Act, 2021, the State Governments shall, within a period of ninety days from the date of commencement of the above mentioned Acts, by notification appoint, one or more appropriate authorities for the whole or any part of the State for the purposes of these Acts. The Composition of aforesaid appropriate authority is prescribed under Section 35(3) of the Surrogacy (Regulation) Act,2021 and Section 12(3) of the Assisted Reproductive Technology(Regulation) Act, 2021 and requested to ensure necessary action on priority basis under intimation to them.

3. In the reference fourth read above, the Commissioner, Health & Family Welfare, AP., has further reported that, the Government of India have also

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sent an Act (ie., Surrogacy Act No. 47 of 2021 Gazette Publications No. 64, dated:25.12.2021 and Notification No.284, dt.20.01.2022) which has enacted by Parliament an Act to constitute National Assisted Reproductive Technology and Surrogacy Board State Assisted Reproductive Technology and Surrogacy Boards and appointment of appropriate authorities for regulation of the practice and process of Surrogacy and for matters connected there with or incidental thereto. According to powers conferred by sub section (2) of section 1 of the Surrogacy Act, 2021 (Act No.47 of 2021), it shall come into force with effect from 25.01.2022.

4. The Commissioner, H&FW, AP., has requested the Government to constitute the State Board for Surrogacy Act, State and District Appropriate Authority for Surrogacy Act and District Medical Board for Surrogacy Act along with powers and functions of the said Boards and also publish the same in the State Gazette for implementation of the Act in the State.

5. Government after careful examination of the proposal hereby decided to constitute the State Assisted Reproductive Technology and Surrogacy Board; State Appropriate Authority for the purposes of the said Act; and District Appropriate Authority for Surrogacy for implementation of the Act in the State.

6. Accordingly, the following notifications shall be published in an extraordinary Gazette of Andhra Pradesh.

NOTIFICATION

In exercise of the powers conferred by the provisions under Section 26, clause (a) of sub-section (3) of section 35 and clause (b) of sub-section (3) of section 35 of the Surrogacy (Regulation) Act, 2021 (Act.No.47 of 2021), the Government of Andhra Pradesh hereby constitute the State Assisted Reproductive Technology and Surrogacy Board; the State Appropriate Authority for Surrogacy, and District Appropriate Authority for Surrogacy respectively, for implementation of the Act in the State:-

The State Assisted Reproductive Technology and Surrogacy Board for Surrogacy Act:

Sl. No.	Officer	Designation
a	The Hon'ble Minister for Health, Medical and Family Welfare, Government of A.P., Velagapudi, Amaravathi, Guntur Dist.	Chairman/Chairperson
b	The Prl. Secy. to Govt. HM&FW Dept., A.P., Velagapudi, Amaravathi, Guntur Dist.	Vice-Chairman/ Chairperson
c.1	The Secretary/ Commissioner, Women Development Child Welfare, AP or their nominee	Member
2	The Secretary/ Commissioner, Social Welfare Department or their nominee	Member

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3	The Secretary, Law, Legislative Affairs and Justice or their nominee	Member
4	The Secretary, Home Department or their nominee	Member
d	The Director of Public Health and Family Welfare, A.P	Member
e.1	Smt.Jonnalagadda Padmavathi, MLA, Singanamala, Anathapuram Dist.	Member
2.	Dr.Undavalli Sridevi, MLA, Tadikonda, Guntur Dist	Member
3.	Smt.Dasari Sudha, MLA, Badvel, YSR Kadapa Dist.	Member
f.1	Medical Geneticists or embryologists from Siddhartha Medical College, Vijayawada	Member
2	Medical Geneticists or embryologists from Siddhartha Medical College, Vijayawada	Member
3	HoD Gynaecology and OBG, Guntur Medical College, Guntur	Member
4	HoD Gynaecology and OBG, Siddhartha Medical College, Vijayawada	Member
5	The Professor, Department of Sociology, Acharaya Nagarjuna University	Member
6	The Asst. Professor, Department of Sociology, Acharaya Nagarjuna University	Member
7	Smt. G.Rashmi, Vasavya Mahila Madali, Vijayawada	Member
8	Smt.C.Bhanuja, REDS, Kadiri, Ananthapur District.	Member
9	Dr.D.Sarada, President, Sarada Service Society, Tenali	Member
10	Smt.Vijaya Nirmala, Executive Secretary, Nava Yuvajana Sangh, West Godavari	Member
g	The Commissioner/Director of Health and Family Welfare;A.P.	Member-Secretary

The State Appropriate Authority for Surrogacy:

Sl. No.	Officer	Designation
a	The Commissioner of Health and Family Welfare; A.P.	Chairman/Chairperson
b	The Additional Director(MCH)	Vice - Chairman / Chairperson
c	Smt.G.Kavitha, Bright way foundation, SPSR Nellore	Member
d	The Additional /Joint Secretary, Law and Legal Affairs Deptt. A.P.	Member
e	Dr.P.Radhika Rani, MBBS, DGO, Radhikarayudu Hospital, Guntur	Member

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District Appropriate Authority for Surrogacy

Sl. No.	Officer	Designation
a	District Collector	Chairman/Chairperson
b	District Medical and Health Officer	Vice - Chairman / Chairperson
c	An eminent woman representing women's organisation (nominated by the Dist.Collector & DM&HO)	Member
d	The Additional District judge (nominated by the District Judge)	Member
e	An eminent registered medical practitioner (nominated by the District Collector & DM&HO)	Member

7. The Board and Authorities constituted above shall have powers, functions, terms and conditions as specified in the respective Act.

8. The Commissioner of Health and Family Welfare, A.P., Mangalagiri shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUDDADA RAVI CHANDRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing & Stationery and Stores Purchase, A.P., Vijayawada.
The Commissioner of Health & Family Welfare, A.P., Mangalagiri and Chairperson/ Chairman State Appropriate for PC&PNDT Act.
All the members in State Advisory Committee through Commissioner of Health and Family Welfare, A.P.,Mangalagiri.
All Collectors & District Magistrates
All the District Medical & Health Officers.
Copy to:
The Joint Secretary to Government of India, Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi.
The Director of Medical Education, A.P, Vijayawada.
The Director of Public Health and family Welfare, A.P, Vijayawada.
The Commissioner of A.P. Vaidhya Vidhana Parishad, Vijayawada.
The Department for Women, Children, Differently Abled and Senior Citizens, A.P. Secretariat.
The Social Welfare Department, A.P. Secretariat.
The Law & Legal Affairs Department, A.P. Secretariat.
The Home Department, A.P. Secretariat.
The Registrar,Acharya Nagarjuna University A.P., Guntur.
The P.S. to Hon'ble Minister (HFW&ME)
The P.S. to Principal Secretary to Government, HM&FW Department.
The Commissioner, Information and Public Relations, A.P., Vijayawada.
SF/SC.

//FORWARDED :: BY ORDER //

SECTION OFFICER